

By Richardson

H.B. No. 883

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the provision of child-care services to state
3 employees.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. DEFINITIONS. In this Act:

6 (1) "Commission" means the State Purchasing and General
7 Services Commission.

8 (2) "State agency" means:

9 (A) any department, commission, board, office, or other
10 agency in the executive branch of state government created by the
11 constitution or a statute of this state;

12 (B) the Supreme Court of Texas, the Texas Court of Criminal
13 Appeals, a court of appeals, or the Texas Judicial Council; or

14 (C) a university system or an institution of higher
15 education as defined by Section 61.003, Education Code, other than
16 a public junior college.

17 SECTION 2. TASK FORCE. (a) A task force to study options
18 for the provision of child-care services to state employees is
19 established. The task force consists of:

20 (1) the executive director of the Texas Health and Human
21 Services Coordinating Council or the executive director's designee;

22 (2) one representative from each of the following state
23 agencies, appointed by the executive director or commissioner of
24 each respective agency:

1 (A) the Texas Department of Health;
2 (B) the Texas Department of Human Services;
3 (C) the Texas Department of Mental Health and Mental
4 Retardation; and

5 (D) the State Purchasing and General Services Commission;

6 (3) a representative of the Texas Association for the
7 Education of Young Children, appointed by the association
8 president;

9 (4) a representative from the United Way Child Care Working
10 Group, appointed by the group; and

11 (5) a person who uses child-care services, appointed by the
12 governor.

13 (b) The task force shall meet at the call of the chairman.

14 (c) If needed in the discharge of its duties, the task force
15 may request the assistance of personnel, equipment, and supplies
16 from a state agency, and the state agency shall provide the
17 assistance to the task force when requested to do so.

18 (d) The task force may seek and accept outside sources of
19 funding.

20 (e) The costs of administering this Act shall be paid by the
21 agencies represented on the task force. It is the intent of the
22 legislature that no state funds be appropriated specifically for
23 the task force or to administer this Act.

24 SECTION 3. PILOT PROGRAM. (a) The task force shall design
25 and establish a pilot program in which space is leased by the state
26 to private tenants trained in child development to provide
27 child-care services to state employees. As part of the pilot

1 program the task force may provide to state employees:

2 (1) different types of child care, including child care:

3 (A) on or adjacent to the work site;

4 (B) for moderately ill children;

5 (C) for handicapped children;

6 (D) during school vacations;

7 (E) after school hours; and

8 (F) during flexible work hours;

9 (2) referral services to child-care providers;

10 (3) nontaxable compensation through direct payment to
11 child-care providers to the extent allowed under federal law;

12 (4) other child-care tax incentives to the extent allowed
13 under federal law; and

14 (5) other child-care benefits.

15 (b) The task force shall adopt rules and a timetable to
16 implement and complete the pilot program. The task force shall
17 base the timetable on the commission's leasing schedule.

18 (c) Each employee participating in the pilot program shall
19 pay the expenses of providing child-care services for that
20 employee's children.

21 (d) The task force shall select not more than three cities
22 with a population of 300,000 or more, according to the most recent
23 federal census, in which to establish the pilot program. The
24 commission shall recommend one or more buildings in each city in
25 which to locate the pilot program. The buildings must be within
26 one mile of buildings in which at least 50 state employees who wish
27 to participate in the program work.

1 (e) The task force may choose:
2 (1) buildings that are state-owned;
3 (2) buildings, or portions of buildings, that are leased by
4 the state under a lease that permits sublease of the premises; or
5 (3) buildings that the state may lease and sublease.
6 (f) The task force shall also study the feasibility of
7 creating a child-care commission to provide child-care services to
8 all state employees.

9 SECTION 4. LEASE. (a) For each building selected for the
10 program, the agency that controls the building may:

11 (1) negotiate a lease;
12 (2) direct the state agency that occupies the building to
13 negotiate a lease; or

14 (3) select a tenant through a competitive bidding process.

15 (b) An agency shall select a tenant on the bases of the
16 amount to be paid under the lease, the quality of the tenant's
17 child-care services, and the cost of the services to the state
18 employees.

19 (c) The task force shall recommend standards for leases
20 under this section to the commission that are based on:

21 (1) child-care regulations adopted by the Texas Department
22 of Human Services;

23 (2) the requirements of the pilot program; and

24 (3) the needs of the task force.

25 (d) The commission shall adopt rules that specify provisions
26 that must be included in a lease and provisions that may not be
27 included in a lease. The rules shall be based on the

1 recommendations of the task force.

2 (e) The agency that controls a building selected for the
3 program shall execute the lease.

4 (f) Leases negotiated and tenants selected under this
5 section are subject to the approval of the task force.

6 SECTION 5. LICENSE. A tenant must obtain a license under
7 Chapter 42, Human Resources Code, to operate a child-care facility
8 under this Act.

9 SECTION 6. REPORTS. (a) Not later than October 31, 1990,
10 each state agency with access to child-care services through the
11 pilot program shall submit to the task force a report evaluating
12 the pilot program. The report must include information relating
13 to:

- 14 (1) the number of employees participating;
- 15 (2) the number of children participating;
- 16 (3) the quality of the child-care services; and
- 17 (4) how the pilot program affects:
 - 18 (A) employee absenteeism;
 - 19 (B) employee tardiness;
 - 20 (C) employee productivity; and
 - 21 (D) the length of maternity leave taken by employees.

22 (b) The task force shall make a complete report that
23 includes findings, recommendations, and drafts of proposed
24 legislation to the 72nd Legislature on the day it convenes in
25 January 1991. The task force shall file five copies of the
26 completed report with the Legislative Reference Library, five
27 copies with the Texas Legislative Council, two copies with the

1 chief clerk of the house, and two copies with the secretary of the
2 senate. Following official distribution of the task force report,
3 each remaining copy shall be deposited with the legislative
4 reference librarian.

5 (c) The task force shall distribute an executive summary of
6 the report to each member of the house and senate.

7 SECTION 7. EFFECTIVE DATE AND DEADLINES. This Act takes
8 effect September 1, 1987. Members of the task force must be
9 appointed not later than September 10, 1987. The task force shall
10 establish the pilot program required by this Act not later than
11 September 1, 1988.

12 SECTION 8. EXPIRATION DATE. If the 72nd Legislature creates
13 a child-care commission, this Act expires on the date on which a
14 majority of the members of that commission have been appointed. If
15 the 72nd Legislature does not create a child-care commission, this
16 Act expires on September 1, 1991.

17 SECTION 9. EMERGENCY. The importance of this legislation
18 and the crowded condition of the calendars in both houses create an
19 emergency and an imperative public necessity that the
20 constitutional rule requiring bills to be read on three several
21 days in each house be suspended, and this rule is hereby suspended.

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relating to the provision of child-care services to state employees.

FEB 20 1987

1. Filed with the Chief Clerk.

MAR 2 1987

2. Read first time and Referred to Committee on

State Affairs

3. Reported favorably (as amended) (as substituted) and sent to Printer at _____

4. Printed and distributed at _____

5. Sent to Committee on Calendars at _____

6. Read second time (amended); passed to third reading (failed) by (Non-Record Vote) (Record Vote of _____ yeas, _____ nays, _____ present, not voting).

7. Motion to reconsider and table the vote by which H.B. _____ was ordered engrossed prevailed (failed) by a (Non-Record Vote) (Record Vote of _____ yeas, _____ nays, and _____ present, not voting).

8. Constitutional Rule requiring bills to be read on three several days suspended (failed to suspend) by a four-fifths vote of _____ yeas, _____ nays, and _____ present, not voting.

9. Read third time (amended); finally passed (failed) by (Non-Record Vote) (Record Vote of _____ yeas, _____ nays, _____ present, not voting).

10. Caption ordered amended to conform to body of bill.

11. Motion to reconsider and table the vote by which H. B. _____ was finally passed prevailed (failed) by a (Non-Record Vote) (Record Vote of _____ yeas, _____ nays, and _____ present, not voting).

12. Ordered Engrossed at _____

13. Engrossed.

14. Returned to Chief Clerk at _____

15. Sent to Senate.

Chief Clerk of the House

16. Received from the House

17. Read, referred to Committee on _____

18. Reported favorably

19. Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

20. Ordered not printed.

21. Regular order of business suspended by (a viva voce vote.) (_____ yeas, _____ nays.)

_____ 22. To permit consideration, reading and passage, Senate and Constitutional Rules suspended by vote of _____ yeas, _____ nays.

_____ 23. Read second time _____ passed to third reading by:
(a viva voce vote.)
(_____ yeas, _____ nays.)

_____ 24. Caption ordered amended to conform to body of bill.

_____ 25. Senate and Constitutional 3-Day Rules suspended by vote of _____ yeas,
_____ nays to place bill on third reading and final passage.

_____ 26. Read third time and passed by
(a viva voce vote.)
(_____ yeas, _____ nays.)

OTHER ACTION:

OTHER ACTION:

Secretary of the Senate

_____ 27. Returned to the House.

_____ 28. Received from the Senate (with amendments.)
(as substituted.)

_____ 29. House (Concurred) (Refused to Concur) in Senate (Amendments) by a (Non-Record
(Substitute) Vote) (Record Vote of _____ yeas, _____ nays, _____ present,
not voting).

_____ 30. Conference Committee Ordered.

_____ 31. Conference Committee Report Adopted (Rejected) by a (Non-Record Vote) (Record
Vote of _____ yeas, _____ nays, and _____ present, not voting).

_____ 32. Ordered Enrolled at _____